

United States Code - Customs Duties
Chapter 4 - Tariff Act of 1930
Subtitle III - Administrative Provisions
Part I - Definitions and National Customs Automation Program
Subpart a - Definitions

Title 19 -Sec. 1401. Miscellaneous

When used in this subtitle or in part I of subtitle II of this chapter -

- (a) Vessel The word "vessel" includes every description of water craft or other contrivance used, or capable of being used, as a means of transportation in water, but does not include aircraft.
- (b) Vehicle The word "vehicle" includes every description of carriage or other contrivance used, or capable of being used, as a means of transportation on land, but does not include aircraft.
- (c) Merchandise The word "merchandise" means goods, wares, and chattels of every description, and includes merchandise the importation of which is prohibited, and monetary instruments as defined in section 5312 of title 31.
- (d) Person The word "person" includes partnerships, associations, and corporations.
- (e) Master The word "master" means the person having the command of the vessel.
- (f) Day The word "day" means the time from eight o'clock antemeridian to five o'clock postmeridian.
- (g) Night The word "night" means the time from five o'clock postmeridian to eight o'clock antemeridian.
- (h) United States The term "United States" includes all Territories and possessions of the United States except the Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Johnston Island, and the island of Guam.
- (i) Officer of the customs; customs officer The terms "officer of the customs" and "customs officer" mean any officer of the United States Customs Service of the Treasury Department (also hereinafter referred to as the "Customs Service") or any commissioned, warrant, or petty officer of the Coast Guard, or any agent or other person authorized by law or designated by the Secretary of the Treasury to perform any duties of an officer of the Customs Service.
 - (j) Customs waters The term "customs waters" means, in the case of a foreign vessel subject to a treaty or other arrangement between a foreign government and the United States enabling or permitting the authorities of the United States to board, examine, search, seize, or otherwise to enforce upon such vessel upon the high seas the laws of the United States, the waters within such distance of the coast of the United States as the said authorities are or may be so enabled or permitted by such treaty or arrangement and, in the case of every other vessel, the waters within four leagues of the coast of the United States.
 - (k) Hovering vessel The term "hovering vessel" means -

- (1) any vessel which is found or kept off the coast of the United States within or without the customs waters, if, from the history, conduct, character, or location of the vessel, it is reasonable to believe that such vessel is being used or may be used to introduce or promote or facilitate the introduction or attempted introduction of merchandise into the United States in violation of the laws of the United States; and
 - (2) any vessel which has visited a vessel described in paragraph (1).
- (l) Secretary The term "Secretary" means the Secretary of the Treasury or his delegate.
- (m) Controlled substance The term "controlled substance" has the meaning given that term in section 802(6) of title 21. For purposes of this chapter, a controlled substance shall be treated as merchandise the importation of which into the United States is prohibited, unless the importation is authorized under -
 - (1) an appropriate license or permit; or
 - (2) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.).
- (n) Electronic transmission The term "electronic transmission" means the transfer of data or information through an authorized electronic data interchange system consisting of, but not limited to, computer modems and computer networks.
- (o) Electronic entry The term "electronic entry" means the electronic transmission to the Customs Service of -
 - (1) entry information required for the entry of merchandise, and
 - (2) entry summary information required for the classification and appraisement of the merchandise, the verification of statistical information, and the determination of compliance with applicable law.
- (p) Electronic data interchange system The term "electronic data interchange system" means any established mechanism approved by the Commissioner of Customs through which information can be transferred electronically.
- (q) National Customs Automation Program The term "National Customs Automation Program" means the program established under section 1411 of this title.
- (r) Import activity summary statement The term "import activity summary statement" refers to data or information transmitted electronically to the Customs Service, in accordance with such regulations as the Secretary prescribes, at the end of a specified period of time which enables the Customs Service to assess properly the duties, taxes and fees on merchandise imported during that period, collect accurate statistics and determine whether any other applicable requirement of law (other than a requirement relating to release from customs custody) is met.

- (s) Reconciliation The term "reconciliation" means an electronic process, initiated at the request of an importer, under which the elements of an entry (other than those elements related to the admissibility of the merchandise) that are undetermined at the time the importer files or transmits the documentation or information required by section 1484(a)(1)(B) of this title, or the import activity summary statement, are provided to the Customs Service at a later time. A reconciliation is treated as an entry for purposes of liquidation, reliquidation, recordkeeping, and protest.